

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRAVELERS INDEMNITY COMPANY a/s/o  
BIAGELS UNLIMITED, INC. d/b/a  
SLIMS BAGELS and d/b/a SLIMS  
COFFEE SHOP,

Plaintiff

-against-

NY BULK FLOUR, INC. and  
KUHNLE BROTHERS, INC.,

Defendants.  
-----X

DEF.  
FILED JUDGMENT  
IN CLERKS OFFICE AFTER TRIAL  
U.S. DISTRICT COURT, N.Y.

★ JUL 24 1998 ★

P.M. 96 Civ 772 (FB)  
TIME A.M.

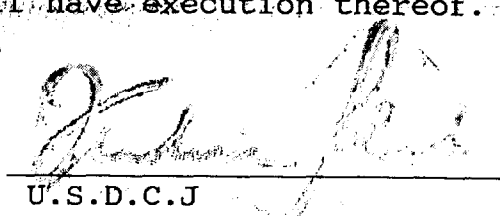
The above entitled action having been regularly brought on for trial in the United States District Court, Eastern District of New York before Judge Frederick Block on June 15-17 and June 23-24, 1998 and the plaintiff having been represented by Dennis M. Perlberg, Esq. of Speyer & Perlberg, 200 Broadhollow Road, Melville, New York 11747, and the defendant, KUHNLE BROTHERS, INC., having been represented by Alan L. Korzen of Bivona & Cohen, P.C., 88 Pine Street, Wall Street Plaza, New York, New York 10005, and due deliberation having been had, on June 24, 1998 the Court having duly rendered a decision in favor of the plaintiff and against KUHNLE BROTHERS, INC. to the extent that liability against KUHNLE BROTHER, INC. was determined to be thirty (30) percent and that liability against plaintiff was determined to be seventy (70) percent and the parties having stipulated in Court that plaintiff's damages amounted to \$525,477.21, together with interest as of June 24, 1998 in the amount of \$194,137.27,

NOW, on motion of SPEYER & PERLBERG, attorneys for plaintiff, TRAVELERS INDEMNITY COMPANY a/s/o BIAGELS UNLIMITED,

(23)

INC. d/b/a SLIMS BAGELS and d/b/a SLIMS COFFEE SHOP, it is  
ADJUDGED, that plaintiff, TRAVELERS INDEMNITY COMPANY a/s/o  
BIAGELS UNLIMITED, INC. d/b/a SLIMS BAGELS and d/b/a SLIMS  
COFFEE, does recover of defendant, KUHNLE BROTHERS, INC., the  
amount of Two Hundred Fifteen Thousand and Eight Hundred and  
Eighty Four and 34/100 (\$215,884.34) Dollars together with  
interest in the amount of \$1,011.40 for the period of June 25,  
1998 to July 13, 1998 for a total sum of \$216,895.74 (which sum  
has been paid by defendant, KUHNLE BROTHERS, INC.) together with  
costs which are to be taxed by the Clerk of the Court, and it is,  
ADJUDGED, that plaintiff have execution thereof.

Dated: Brooklyn, New York  
July 17, 1998

  
U.S.D.C.J

TRAVELERS INDEMNITY COMPANY  
100 Bayliss Road  
Melville, New York 11747

KUHNLE BROTHERS, INC.  
14905 Cross Creek Parkway  
Newbury, Ohio 44065